

Private Admonitions -- Board Case Nos. 38 and 48, 1994. Date of Sanction: December 28, 1995.

The Delaware Supreme Court approved a report of the Board on Professional Responsibility imposing two private admonitions upon the Respondent for multiple violations of **DLRPC 1.8(h)**, which states that a lawyer shall not settle a claim for malpractice liability with an unrepresented client without first advising that person in writing that independent representation is appropriate. The Respondent violated this rule in connection with the representation of two clients in a personal injury action arising out of an automobile accident. When the court denied a motion seeking additional time to file certain papers in support of the complaint, the Respondent persuaded the clients to sign waivers of rights without advising them in writing of the appropriateness of seeking independent counsel. The waivers stated that the clients "forfeit[ed] all claims which arise out of said automobile accident and legal representation in relation thereto."